

Remarks

Claims 1-11 were presented for prosecution and presently stand rejection. Claim 1 and 6-8 stand rejected under 35 USC 102(c) as allegedly being anticipated by Mital et al., U.S. Patent 6,189,012 ("Mital"). Claims 2-3 and 9-10 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Fehskens et al., U.S. Patent Application 6,438,591 (Fehskens). Claims 4-5 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Fehskens, and further in view of Suvor, U.S. Patcnt 6,016,497. Claim 11 stands rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Lu et al., U.S. Patent 6,351,487. Claim 11 has been amended herein. Applicant respectfully traverses these rejections for the following reasons.

Applicant submits that claims 1 and 6 are not anticipated by Mital because Mital fails to teach each and every feature of claims 1 and 6, as required by 35 USC 102(e). For instance, in claim 1, Applicant claims "a hierarchical node database wherein data used for said application programs are stored as node data in data records... *stored in said node database.*" In claim 6, Applicant claims "a hierarchical node data base for *storing node data.*" Mital, conversely teaches that "the data is held in a separate details table for each object class," and a relational join is used to access the data. (See column 5, lines 57-61). Accordingly, Mital does not teach of storing the actual node data in the node database, as is claimed in claims 1 and 6. Instead, Mital teaches storing a link or pointer to the data, which is stored elsewhere, such as the table shown in Figure 5. Thus, Mital fails to anticipate claims 1 and 6, and therefore Applicant submits that the 35 USC 102(c) rejection is improper and should be withdrawn.

Applicant further traverses the rejection of claims 2-3 and 9-10 under 35 USC 103(a).

The Examiner admits that Mital does not teach period data stored as data entries in the data records. Fehskens is cited as allegedly teaching period data in data records, and that it therefore would have allegedly been obvious to modify Mital with the teachings of Fehskens. Applicant respectfully submits that the combination of these two references is improper for numerous reasons, and that such a combination fails to teach or suggest each and every claim element of claims 2-3 and 9-10.

First, Applicant notes that there is no motivation taught or suggested in the art for modifying Mital to arrive at Applicant's invention. In claims 2 and 9, Applicant claims storing period data in the hierarchical link table, i.e., as additional data entries, and in claims 3 and 10, Applicant claims storing period data in the node database, i.e., as additional data entries (see, e.g., Figure 11). Accordingly, Applicant's invention utilizes additional entries or columns in the link table or node database to store the period data. Mital, conversely, explicitly teaches a limitation wherein "all object instances are stored in a single relational table with **only** three columns (limited to a link id, a link source id and a link destination id), while all links are held in a second relational table with **only** two columns (limited to an object id and an object class id)." (See column 5, lines 54-56). Accordingly, Mital teaches away from including additional information in either table, which would require additional columns for holding period data. Moreover, as noted above, Mital teaches away from keeping any actual data in the relational tables, and explicitly teaches storing only links or pointers to external data sources. Accordingly, because Mital teaches a very limited and explicit use of the link and object tables, one of ordinary

skill in the art would not consider modifying the link or object tables (shown in Figures 2 and 3) of Mital to include additional columns for holding period data.

Furthermore, Applicant submits that Fehskens fails to teach the concept of including period data in the fields or data records of a table or database. Instead, Fehskens teaches including time-based parameters in communication *requests* generated within a network management system via a communication dispatch. Requests, which are generated in response to commands from an operator, are routed throughout a system via a kernel (see column 2, line 1-18 and column 10, lines 45-65). The request itself is not stored as a data record or field in a table or database. Rather, each request is a communication used to manage a complex system and any time information is utilized to control the system, e.g., run this process every 15 minutes. Nowhere does Fehskens teach storing time periods as a data record or a field in a table or database, e.g., "to establish start and end times for each link" (claim 9) or "data entry" (claim 10). Thus, neither reference teaches or suggests the use of period data stored in table/database for controlling a data linking process. Moreover, one skilled in the art could not logically or practically combine the teachings of Fehskens with Mital since Fehskens is directed toward a format for packaging electronic communications, while Mital is directed toward a format for accessing database records.

Because the combination of Mital and Fehskens fails to teach or suggest each and every claim element recited in claims 2-3 and 9-10, and because Mital actually teaches away from the suggested modification, Applicant submits that a prima facie showing of obvious under 35 USC 103(a) has not been made. As such, Applicant requests that the claims are in condition for allowance and that the 103(a) rejection be withdrawn.

With regard to claim 11, Applicant claims a first and a second application program for providing a first and a second rate scheme. As is clear from the specification, a rate scheme refers to the monetary fee or charge to be assessed to a customer. Conversely, Lu teaches a communication system for transmitted data at different speeds (i.e., communication rates). Clearly, the teachings of Lu have nothing to do with providing different rate schemes, as defined by Applicant. Applicant has amended claim 11 to clearly point out this distinction, and submits that the obviousness rejection should be withdrawn.

The remaining claims are believed allowable for the reasons discussed above, as well as for the own additional features.

Applicant respectfully submits that the application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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